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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,080	09/29/2006	Anton Kley-Bosler	42120236US	5503

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DREISS, FUHLENDORF, STEIMLE & BECKER
POSTFACH 10 37 62
D-70032 STUTTGART,
GERMANY

EXAMINER

BANH, DAVID H

ART UNIT	PAPER NUMBER
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2854

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12/08/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/566,080	Applicant(s) KLEY-BOSLER, ANTON	
	Examiner DAVID BANH	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-57 is/are pending in the application.
- 4a) Of the above claim(s) 40,41 and 46-57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39 and 42-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of the restriction requirement in the reply filed on November 4, 2008 is acknowledged. The traversal is on the ground(s) that the prior art, Ho Wang Man (GB 2,305,633) does not teach all of the limitations of linking claim 39. This is not found persuasive because the combination below teaches all of the limitations of the amended claim.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 39, 42, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho Wang Man (GB 2,305,633) in view of Nakajima, et al. (JP 11077960).

In Figure 2, Ho Wang Man teaches a rotary indexing table **4**, a slide **8**, an inking device **18** cooperating with a slide movable in the radial direction between a rest position and an inking position, and a pad **10**, mounted on the slide **8** and movable in a vertical direction between a rest position and a first working position and a second working position. The inking device **18** is taught to be moveable in the radial direction on page 4, lines 20-24, wherein it is disclosed that the ink trays or cups **16**, **18** are movable from retracted to extended positions. The pad **10** disposed on the slide is taught to be movable vertically in claim 1. Additionally, the pad as part

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of the printing apparatus is taught to be movable to first, second and third positions in claims 2-4 for printing, cleaning and inking. Ho Wang Man does not teach that the slide **8** is radially movable direction. However, Nakajima et al. teaches a slide **4, 5, 7** for supporting a printing pad **6, D** and movable in the radial direction. This is most clearly shown in Figures 2 and 6. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a radially movable slide for supporting the printing pad to print a work piece a number of positions.

For claim 42, Ho Wang Man teaches a pad drive **12** coupled to the pad **10** and the pad drive **12** can be moved relative to the rotary indexing table **4**.

For claim 44, it can be seen in Figure 4 of Ho Wang Man that the pad drive **12** is disposed above the table **4** and slide **8**.

For claim 45, Ho Wang Man teaches on page 4, lines 14-16 that the pad drive **12** is pneumatic.

4. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ho Wang Man (GB 2,305,633) and Nakajima et al. (JP 11077960) as applied to parent claim 39 above in further view of Wolstenholme (US Patent 5,852,972).

Ho Wang Man teaches all of the limitations of claim 43 as found in parent claim 39 above. Ho Wang Man does not teach that the pad can be coupled and uncoupled from the pad drive.

However, Wolstenholme teaches making printing pads that are replaceable upon them wearing out. It would have been obvious to one of ordinary skill in the art to use replaceable printing pads, which would have to be coupled to and then uncoupled from the drive during replacement for the purpose of being able to replace the relatively cheap worn out pad without having to replace the entire expensive apparatus.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID BANH whose telephone number is (571)270-3851. The examiner can normally be reached on M-Th 9:30AM-8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571)272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHB
December 9, 2008

/Daniel J. Colilla/
Primary Examiner
Art Unit 2854